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a1*

WHAT IS CLAIMED IS:

- 5 1. A recombinant HSV comprising a first adeno-associated virus (AAV) gene comprising a promoter and a polynucleotide sequence encoding a rep polypeptide, wherein the rep polypeptide or the promoter is conditionally active.
- 10 2. The recombinant HSV of claim 1, wherein the rep polypeptide is derived from an AAV rep78, rep68, rep62, or rep40 protein.
- 15 3. The recombinant HSV of claim 1, wherein the rep polypeptide is conditionally active.
- 20 4. The recombinant HSV of claim 3, wherein the rep polypeptide is active at a first permissive temperature, and inactive at a second nonpermissive temperature.
- 25 5. The recombinant HSV of claim 1, wherein the promoter is conditionally active.
- 30 6. The recombinant HSV of claim 6, wherein the promoter is an inducible promoter.
- 35 7. The recombinant HSV of claim 1, further comprising an Intermediate Terminal Repeat (ITR) cassette, which comprises two AAV-derived ITR sequences flanking a non-ITR polynucleotide.
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- 20 8. The recombinant HSV of claim 7, wherein the first AAV gene is not within the ITR cassette.
- 25 9. The recombinant HSV of claim 1, further comprising a second AAV gene comprising a promoter and a polynucleotide sequence encoding a cap polypeptide.
- 30 10. The recombinant HSV of claim 9, further comprising an ITR cassette, which comprises two AAV-derived ITR sequences flanking a non-ITR polynucleotide.
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- 35 11. The recombinant HSV of claim 10, wherein the first AAV gene is not within the AAV ITR cassette.
- 40 12. The recombinant HSV claim 1, which is deficient for at least one essential HSV gene.
- 45 13. The recombinant HSV of claim 12, wherein the essential HSV gene is an immediate early, early or late HSV gene.
- 50 14. The recombinant HSV of claim 12, wherein the essential HSV gene is ICP27.
- 55 15. A viral stock comprising the recombinant HSV of claim 1.
- 60 16. A composition comprising the recombinant HSV of claim 1 and a physiologically-acceptable carrier.

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17. A method of transferring an ITR cassette to a host cell comprising introducing a vector comprising an ITR cassette into the cell, and introducing the HSV of claim 1 into the cell under conditions suitable for expressing the rep gene to produce an active rep protein, whereby the rep protein directs excision of the ITR cassette from the vector, whereby the ITR cassette is transferred to the host cell.
- 5 18. The method of claim 17, wherein the rep protein further directs integration of the ITR cassette into the chromosome of the host cell.
- 10 19. The method of claim 17, wherein the ITR cassette is within the HSV vector.
20. The method of claim 17, wherein the cell is *in vivo*.

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